

**ASSEMBLY BILL**

**No. 477**

**Introduced by Assembly Member Haynes**

February 14, 2003

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An act to amend Section 12804.9 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 477, as introduced, Haynes. Vehicles: driver's license.

Under existing law, an applicant for a driver's license is required to submit to an examination appropriate to the type of motor vehicle or combination of vehicles the applicant desires to drive.

This bill would make technical, nonsubstantive changes to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 12804.9 of the Vehicle Code, as  
2 amended by Section 2.5 of Chapter 658 of the Statutes of 2001, is  
3 amended to read:  
4 12804.9. (a) (1) The examination shall include all of the  
5 following:  
6 (A) A test of the applicant's knowledge and understanding of  
7 the provisions of this code governing the operation of vehicles  
8 upon the highways.  
9 (B) A test of the applicant's ability to read and understand  
10 simple English used in highway traffic and directional signs.

1 (C) A test of the applicant's understanding of traffic signs and  
2 signals, including the bikeway signs, markers, and traffic control  
3 devices established by the Department of Transportation.

4 (D) An actual demonstration of the applicant's ability to  
5 exercise ordinary and reasonable control in operating a motor  
6 vehicle by driving it under the supervision of an examining officer.  
7 The applicant shall submit to an examination appropriate to the  
8 type of motor vehicle or combination of vehicles he or she desires  
9 a license to drive, except that the department may waive the  
10 driving test part of the examination for any applicant who submits  
11 a license issued by another state, territory, or possession of the  
12 United States, the District of Columbia, or the Commonwealth of  
13 Puerto Rico if the department verifies through any acknowledged  
14 national driver record data source that there are no stops, holds, or  
15 other impediments to its issuance. The examining officer may  
16 request to see evidence of financial responsibility for the vehicle  
17 prior to supervising the demonstration of the applicant's ability to  
18 operate the vehicle. The examining officer may refuse to examine  
19 an applicant who is unable to provide proof of financial  
20 responsibility for the vehicle, unless proof of financial  
21 responsibility is not required by this code.

22 (E) A test of the hearing and eyesight of the applicant, and of  
23 other matters that may be necessary to determine the applicant's  
24 mental and physical fitness to operate a motor vehicle upon the  
25 highways, and whether any grounds exist for refusal of a license  
26 under this code.

27 (2) The examination for a class A or class B license under  
28 subdivision (b) shall also include a report of a medical examination  
29 of the applicant given not more than two years prior to the date of  
30 the application by a health care professional. As used in this  
31 subdivision, "health care professional" means a person who is  
32 licensed, certified, or registered in accordance with applicable  
33 state laws and regulations to practice medicine and perform  
34 physical examinations in the United States of America. Health  
35 care professionals are doctors of medicine, doctors of osteopathy,  
36 physician assistants, and advanced practice nurses, or doctors of  
37 chiropractic who are clinically competent to perform the medical  
38 examination presently required of motor carrier drivers by the  
39 Federal Highway Administration. The report shall be on a form  
40 approved by the department, the Federal Highway

Administration, or the Federal Aviation Administration. In establishing the requirements, consideration may be given to the standards presently required of motor carrier drivers by the Federal Highway Administration.

(3) ~~Any~~ A physical defect of the applicant, which, in the opinion of the department, is compensated for to ensure safe driving ability, ~~shall~~ *may* not prevent the issuance of a license to the applicant.

(b) In accordance with the following classifications, ~~any~~ *an* applicant for a driver's license shall be required to submit to an examination appropriate to the type of motor vehicle or combination of vehicles the applicant desires a license to drive:

(1) Class A includes the following:

(A) ~~Any~~ A combination of vehicles, if ~~any~~ *a* vehicle being towed has a gross vehicle weight rating of more than 10,000 pounds.

(B) ~~Any~~ A vehicle towing more than one vehicle.

(C) ~~Any~~ A trailer bus.

(D) The operation of all vehicles under class B and class C.

(2) Class B includes the following:

(A) ~~Any~~ A single vehicle with a gross vehicle weight rating of more than 26,000 pounds.

(B) ~~Any~~ A single vehicle with three or more axles, except any three-axle vehicle weighing less than 6,000 pounds.

(C) ~~Any~~ A bus except a trailer bus.

(D) ~~Any~~ A farm labor vehicle.

(E) ~~Any~~ A single vehicle with three or more axles or a gross vehicle weight rating of more than 26,000 pounds towing another vehicle with a gross vehicle weight rating of 10,000 pounds or less.

(F) ~~Any~~ A house car over 40 feet in length, excluding safety devices and safety bumpers.

(G) The operation of all vehicles covered under class C.

(3) Class C includes the following:

(A) ~~Any~~ A two-axle vehicle with a gross vehicle weight rating of 26,000 pounds or less, including when the vehicle is towing a trailer or semitrailer with a gross vehicle weight rating of 10,000 pounds or less.

(B) Notwithstanding subparagraph (A), ~~any~~ *a* two-axle vehicle weighing 4,000 pounds or more unladen when towing a trailer coach not exceeding 9,000 pounds gross.

- 1 (C) ~~Any~~ A house car of 40 feet in length or less.
- 2 (D) ~~Any~~ A three-axle vehicle weighing 6,000 pounds or less
- 3 gross.
- 4 (E) ~~Any~~ A house car of 40 feet in length or less or vehicle
- 5 towing another vehicle with a gross vehicle weight rating of
- 6 10,000 pounds or less, including when a tow dolly is used. No
- 7 vehicle shall tow another vehicle in violation of Section 21715.
- 8 (F) (i) ~~Any~~ A two-axle vehicle weighing 4,000 pounds or more
- 9 unladen when towing either a trailer coach or a fifth-wheel travel
- 10 trailer not exceeding 10,000 pounds gross vehicle weight rating,
- 11 when the towing of the trailer is not for compensation.
- 12 (ii) ~~Any~~ A two-axle vehicle weighing 4,000 pounds or more
- 13 unladen when towing a fifth-wheel travel trailer exceeding 10,000
- 14 pounds, but not exceeding 15,000 pounds, gross vehicle weight
- 15 rating, when the towing of the trailer is not for compensation, and
- 16 if the person has passed a specialized written examination
- 17 provided by the department relating to the knowledge of this code
- 18 and other safety aspects governing the towing of recreational
- 19 vehicles upon the highway.
- 20 The authority to operate combinations of vehicles under this
- 21 subparagraph shall be granted by endorsement on a class C license
- 22 upon completion of that written examination.
- 23 (G) ~~Any~~ A vehicle or combination of vehicles with a gross
- 24 combination weight rating or a gross vehicle weight rating, as
- 25 those terms are defined in subdivisions (g) and (h), respectively,
- 26 of Section 15210, of 26,000 pounds or less, if all of the following
- 27 conditions are met:
- 28 (i) Is operated by a farmer, an employee of a farmer, or an
- 29 instructor credentialed in agriculture as part of an instructional
- 30 program in agriculture at the high school, community college, or
- 31 university level.
- 32 (ii) Is used exclusively in the conduct of agricultural
- 33 operations.
- 34 (iii) Is not used in the capacity of a for-hire carrier or for
- 35 compensation.
- 36 (H) Class C does not include any two-wheel motorcycle or any
- 37 two-wheel motor-driven cycle.
- 38 (4) Class M1. ~~Any~~ A two-wheel motorcycle or motor-driven
- 39 cycle. Authority to operate vehicles included in a class M1 license

may be granted by endorsement on a class A, B, or C license upon completion of an appropriate examination.

(5) Class M2. ~~Any~~ A motorized bicycle or moped, or ~~any~~ a bicycle with an attached motor, except a motorized bicycle described in subdivision (b) of Section 406 and a motorized scooter described in Section 407.5. Authority to operate vehicles included in class M2 may be granted by endorsement on a class A, B, or C license upon completion of an appropriate examination. Persons holding a class M1 license or endorsement may operate vehicles included in class M2 without further examination.

(c) No driver's license or driver certificate ~~shall be~~ *is* valid for operating ~~any~~ a commercial motor vehicle, as defined in subdivision (b) of Section 15210, ~~any other~~ a motor vehicle defined in paragraph (1) or (2) of subdivision (b), or ~~any other~~ a vehicle requiring a driver to hold any driver certificate or ~~any~~ a driver's license endorsement under Section 15275, unless a medical certificate approved by the department, the Federal Highway Administration, or the Federal Aviation Administration, that has been issued within two years of the date of the operation of that vehicle, is within the licensee's immediate possession, and a copy of the medical examination report from which the certificate was issued is on file with the department. Otherwise, the license ~~shall be~~ *is* valid only for operating class C vehicles that are not commercial vehicles, as defined in subdivision (b) of Section 15210, and for operating class M1 or M2 vehicles, if so endorsed, that are not commercial vehicles, as defined in subdivision (b) of Section 15210.

(d) A license or driver certificate issued prior to the enactment of Chapter 7 (commencing with Section 15200) ~~shall be~~ *is* valid to operate the class or type of vehicles specified under the law in existence prior to that enactment until the license or certificate expires or is otherwise suspended, revoked, or canceled.

(e) The department may accept a certificate of driving skill that is issued by an employer, authorized by the department to issue a certificate under Section 15250, of the applicant, in lieu of a driving test, on class A or B applications, if the applicant has first qualified for a class C license and has met the other examination requirements for the license for which he or she is applying. The certificate may be submitted as evidence of the applicant's skill in

1 the operation of the types of equipment covered by the license for  
2 which he or she is applying.

3 (f) The department may accept a certificate of competence in  
4 lieu of a driving test on class M1 or M2 applications, when the  
5 certificate is issued by a law enforcement agency for its officers  
6 who operate class M1 or M2 vehicles in their duties, if the  
7 applicant has met the other examination requirements for the  
8 license for which he or she is applying.

9 (g) The department may accept a certificate of satisfactory  
10 completion of a novice motorcyclist training program approved by  
11 the commissioner pursuant to Section 2932 in lieu of a driving test  
12 on class M1 or M2 applications, if the applicant has met the other  
13 examination requirements for the license for which he or she is  
14 applying. The department shall review and approve the written and  
15 driving test used by a program to determine whether the program  
16 may issue a certificate of completion.

17 (h) Notwithstanding subdivision (b), any person holding a  
18 valid California driver's license of any class may operate a  
19 short-term rental motorized bicycle without taking any special  
20 examination for the operation of a motorized bicycle, and without  
21 having a class M2 endorsement on that license. As used in this  
22 paragraph, "short-term" means 48 hours or less.

23 (i) No person under the age of 21 years ~~shall~~ *may* be issued a  
24 class M1 or M2 license or endorsement unless he or she provides  
25 evidence satisfactory to the department of completion of a  
26 motorcycle safety training program that is operated pursuant to  
27 Article 2 (commencing with Section 2930) of Chapter 5 of  
28 Division 2.

29 (j) Drivers of vanpool vehicles may operate with class C  
30 licenses but shall possess evidence of a medical examination  
31 required for a class B license when operating vanpool vehicles. In  
32 order to be eligible to drive the vanpool vehicle, the driver shall  
33 keep in the vanpool vehicle a statement, signed under penalty of  
34 perjury, that he or she has not been convicted of reckless driving,  
35 drunk driving, or a hit-and-run offense in the last five years.

36 (k) A class M license issued between January 1, 1989, and  
37 December 31, 1992, shall permit the holder to operate any  
38 motorcycle, motor-driven cycle, or motorized bicycle until the  
39 expiration of the license.



- 1     *(l)* This section shall become operative on January 1, 2004.

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